

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerianne Tringali DiPiano, Peter Kevin Mays, and John Ziemniak

Serial No.: 10/751,056

Art Unit: 1617

Filed: January 2, 2004

Examiner: Jennifer M. Kim

For: *PHARMACEUTICAL PREPARATIONS FOR TREATMENTS OF DISEASES
AND DISORDERS OF THE BREAST*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including two (2) pages of Form PTO-1449 and copies of five (5) documents cited therein.

Out of an abundance of caution, Applicants submit the foreign language patent JP 61-500914, which was first cited in an Official Action of a counterpart Japanese application to the above-identified U.S. Patent Application. Applicants note that JP 61-500914 is related to U.S. Patent No. 4,919,937, previously cited by the Examiner in a Form PTO-892 received with the Office Action mailed April 12, 2007. Applicants submit that the requirement for a concise explanation of the relevance of this foreign language document under 37 C.F.R. § 1.98(a)(3) is satisfied by the Examiner's previous citation of U.S. Patent No. 4,919,937.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) after a Final Office Action on the merits. The Commissioner is hereby authorized to charge a fee of \$180.00 to Deposit Account No. 50-3129, representing the fee required under 37 C.F.R. §1.17(p). It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

Certification Under 37 C.F.R. § 1.97 (e)(1)

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

Foreign Documents

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
61-500914	05-08-1986	Not Available	JP
WO 91/12007	08-22-1991	AMR International, N.V.	PCT
WO 00/27372	05-18-2000	Bristol-Myers Squibb Co.	PCT

Publications

FENTIMAN, et al., "Tamoxifen and benign breast problems.", *Lancet*, 2(8567):1070-1072 (1987).

MONTGOMERY, et al., "Treatment of severe cyclical mastalgia.", *J. R. Soc. Med.*, 72(7):489-491 (1979).

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Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/ Patrea L. Pabst /

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